

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INEOS FLUOR AMERICAS LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-189-SLR
)	
HONEYWELL INTERNATIONAL INC.,)	
)	
Defendant.)	

STIPULATION AND PROTECTIVE ORDER REGARDING EXPERT DISCOVERY

The parties hereto, through their respective counsel of record, hereby stipulate to the following regarding the scope of expert discovery and testimony in this matter.

1. In order to avoid consuming the parties' and the Court's time and resources on potential discovery issues relating to experts, the parties have agreed to certain limitations on the scope of expert-related discovery and testimony in the above-captioned action (hereinafter, "Litigation"). Neither the terms of the stipulation nor the parties' agreement to them implies that any of the information restricted from discovery in this Stipulation would otherwise be discoverable.
2. The following categories of data, information or documents need not be disclosed by any party or person, and are outside the scope of permissible discovery (including, but not limited to, deposition questions and the disclosures required by Fed. R. Civ. P. 26(a)(2)):
 - (a) Any notes or other writings taken or prepared in connection with the Litigation by or for a non-testifying expert, including a non-testifying expert employed by a testifying expert (hereinafter, "Consulting Expert"), except any such notes or writings received or reviewed by any testifying expert;

- (b) Written or oral communications and notes of communications to or from any Consulting Expert, except to the extent any such communications are conveyed, orally or in writing, to or from a testifying expert; and
 - (c) Drafts of Fed. R. Civ. P. 26(a)(2)(B) expert reports, including (i) comments of any person contained within a draft report and (ii) communications between an attorney for a party in this Litigation and a testifying expert about a draft expert report.
3. The parties agree to comply with this Stipulation and Protective Order pending the Court's approval and entry of this order.

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SO ORDERED this _____ day of _____, 2007.

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Karen L. Pascale, Esquire, hereby certify that on April 5, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

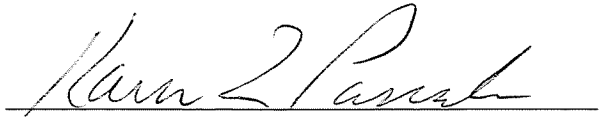
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I further certify that on April 5, 2007, I caused a copy of the foregoing document to be served by hand delivery and e-mail on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

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